NPL-U16-3-8-1-R4

Chevron

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March 16, 1994

Docket Coordinator,
Headquarters
U. S. EPA CERCLA Docket Office:OS-245
Waterside Mall
401 M Street, SW
Washington, D.C. 20460

National Priorities List Proposed Rule #16
Chevron Chemical Co. (Ortho Division)
Orlando, Florida

Chevron Chemical Company would like to offer the following comments on National Priorities List Proposed Rule #16 as it relates to the Chevron Chemical Company Site in Orlando, Florida.

In 1991 the Chevron Orlando Site, heavily contaminated with pesticides and petroleum products, probably merited a place on the National Priorities List as one of the worst hazardous waste sites in America. In 1993, after spending over $6 million to excavate 22,000 tons of soil and treat hundreds of thousands of gallons of groundwater, Chevron voluntarily agreed conduct a groundwater RI/FS under the Superfund Accelerated Cleanup Model. In the first quarter of 1994, the small and declining groundwater contaminant plume has been characterized and affected off-site soils removed. Today the Site presents no significant threat to human health or the environment. Chevron believes that EPA should manage this site as it has in the past - proactively, expeditiously and in full cooperation with the PRP. And, as the following comments will show in more detail, the Site should not be placed on the NPL.

1. HRS Scoring - The HRS Scoring for the Site errs in its estimate of the potential population impacted by groundwater contamination originating at the site. The HRS Scoring package calculated a Sum of Distance-Weighted Population Value of 26,887 and a Potential Contamination Factor Value of 2,689. The calculations that yielded these results assume little or no knowledge of the exact nature and extent of the groundwater contaminant plume or of local hydrogeology. In fact, extensive site specific knowledge exists which clearly shows a plume of groundwater contamination (exceeding drinking water MCLs) which extends less than two hundred feet from the site. State-of-the-Art modeling shows that the contaminant plume is at steady state or declining in size. Within this area there are no water supply wells, no exposure pathways and, therefore, there is no exposed population. Accordingly, we would like to offer the following correction to the Site's Hazard Ranking Score:

	HRS Score	Actual Score
likelihood of release	550	550
waste characteristics	32	32
targets	2716	25
aquifer score	579	5
aquifer pathway score (100 max)	100	5
Site Score	50	3

This site clearly does not merit inclusion in the National Priorities List based on groundwater contamination. The most recent groundwater data for the site was submitted to EPA in November 1993 and modeling results were presented to EPA in January 1994. (See Attachment)

2. An NPL Listing will disrupt this Superfund Accelerated Cleanup Model (SACM) Pilot and violate the spirit under which Chevron entered into the SACM Consent Order - When and if the Site is placed on the NPL, EPA plans to change personnel assigned to the project and more importantly, move the Site into the Remedial Branch of Region IV. As a SACM pilot, the Site is currently being managed by a team of hand-picked personnel from the Removal, Remedial and Hazard Ranking Branches of Region IV. The success of the 1992 $6 million removal action and the ongoing SACM RI/FS can be attributed to the smooth interworkings and cooperation between the EPA team and Chevron. Any change in project personnel and reporting structure will be seriously disruptive to the project.

3. An NPL Listing will act as a disincentive for voluntary cleanups - It is the stated intent of the present Administration to provide for and improve incentives for voluntary cleanups. The Chevron Orlando Site has been a voluntary cleanup - Chevron has consistently gone further than required in cleaning up the Site. For example, the 1992 removal action was designed to remove any and all contaminated soils and sources of groundwater contamination, a goal much more expansive than is typical for removal actions. During the RI/FS, when low levels of chlordane contamination were found in an adjoining trailer park, Chevron convinced EPA to let it conduct an interim cleanup to remove a potential exposure pathway. These two examples of proactive, voluntary action would have been far more difficult to accomplish under the procedures currently being used by the Remedial Branch of EPA. Putting this Site on the NPL will reward a proactive, cooperative PRP with punitive costs, slower schedules and public stigma. EPA can and should reward voluntary cleanups with a streamlined process like that embodied in SACM and advocated by the EPA Administrator.

4. An NPL Listing will unnecessarily increase EPA and PRP costs - An NPL Listing will increase oversight and management costs within both EPA and Chevron because of the additional red tape and time required to de-list a clean site. Turnover of the project within EPA from the SACM team to the Remedial Branch will increase EPA oversight costs. Any and all such increased costs are unnecessary because all essential site investigation and remediation has been done, is underway or will be willingly undertaken by Chevron.

5. An NPL Listing is unnecessary - Chevron has been fully cooperative with EPA in entering into the administrative order on consent to conduct the 1992 removal action and in volunteering to conduct a groundwater RI/FS under the Superfund Accelerated Cleanup Model. It is Chevron's intent to continue to cooperate fully with EPA through the RI/FS and any necessary followup remediation.

6. An NPL Listing of the Chevron Chemical Co. Site will be a violation of the spirit of CERCLA and of Congressional intent - The NPL was established by Congress as a means of prioritizing the worst hazardous waste sites in the country. The record shows that soils on the Site have been cleaned up to risk based levels set by ATSDR and approved by EPA, and all significant groundwater sources removed. By no stretch of the imagination can the Site currently be considered one of the worst hazardous waste sites in the country, the State of Florida or even in Orange County. Many gasoline stations have worse groundwater contamination plumes. Placing the Site on the NPL will be done primarily for political reasons - so the Site can be quickly moved off of the NPL and declared a success - not for the reasons Congress established CERCLA and the NPL.

The Chevron Orlando Site has been a model of effective and timely site assessment and remediation. Today the Site is a Superfund success story. But placing the Site on the NPL will be a step backward. Aren't there more serious sites where cleanup will be delayed because EPA wastes valuable time and resources on an NPL listing for this site? Listing this site will be a bureaucratic, politically motivated action which can only slow down and increase the cost of completing the job. And most importantly, placing a clean site on the NPL can only illustrate the shortcomings and absurdities of the Superfund Program. It will not be in the better interests of the community, EPA or Chevron.

We sincerely hope EPA takes the time to seriously consider and respond to each of our comments. We feel that the issues raised herein are important, not only to the future of the Chevron Orlando Site, but also to the future of Superfund.

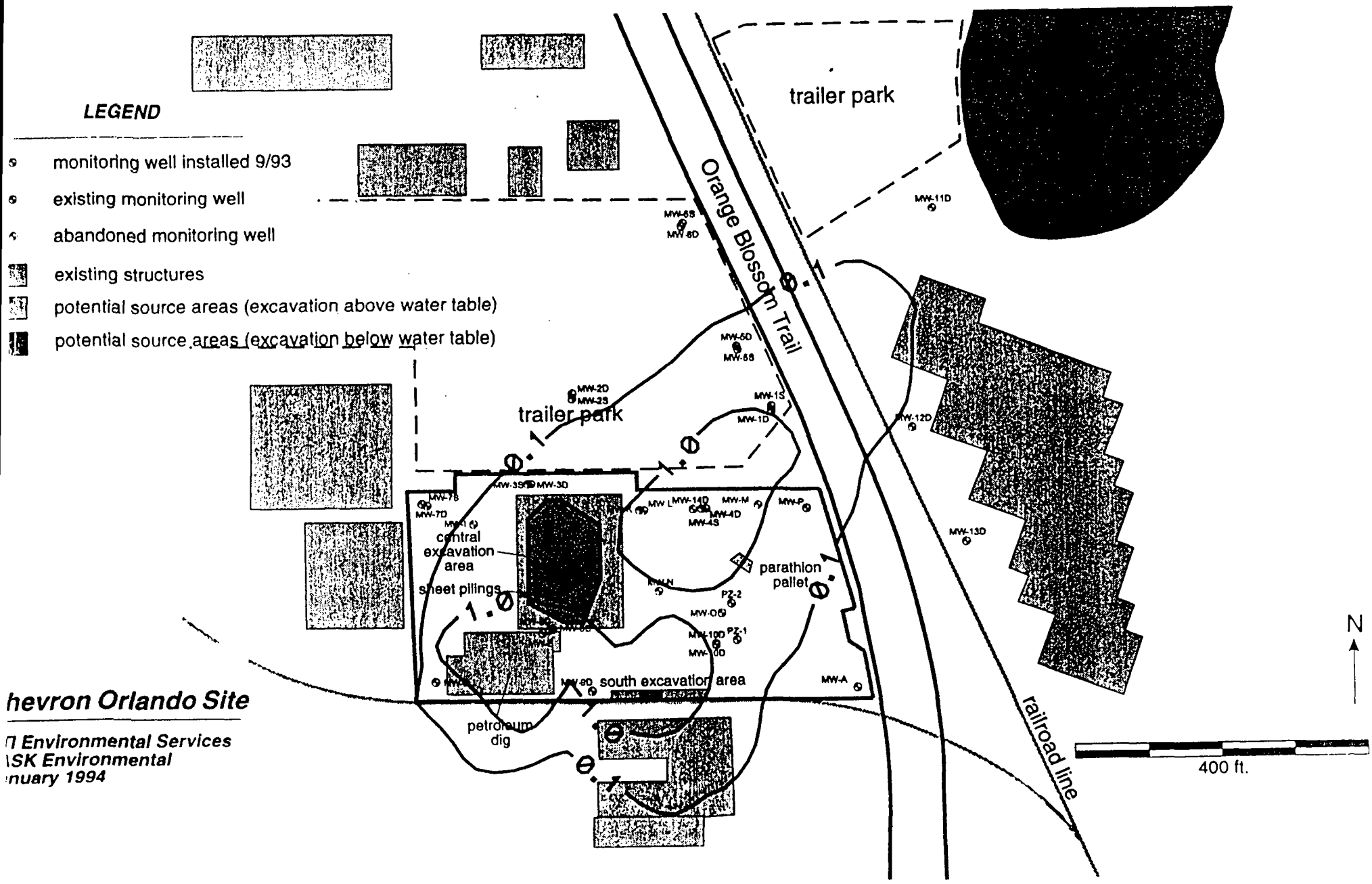
Sincerely,

Jeff D. Wyatt
Senior Environmental Projects Engineer

JDW:mal

cc: Doug Jones, Florida DER
Dorothy Rayfield, EPA Region IV
Daniel E. Vineyard
Susan Klinzing Tobin, Task Environmental
Houston Kempton, PTI
CERCLA File: Orlando 4110

Simulated Benzene Plume



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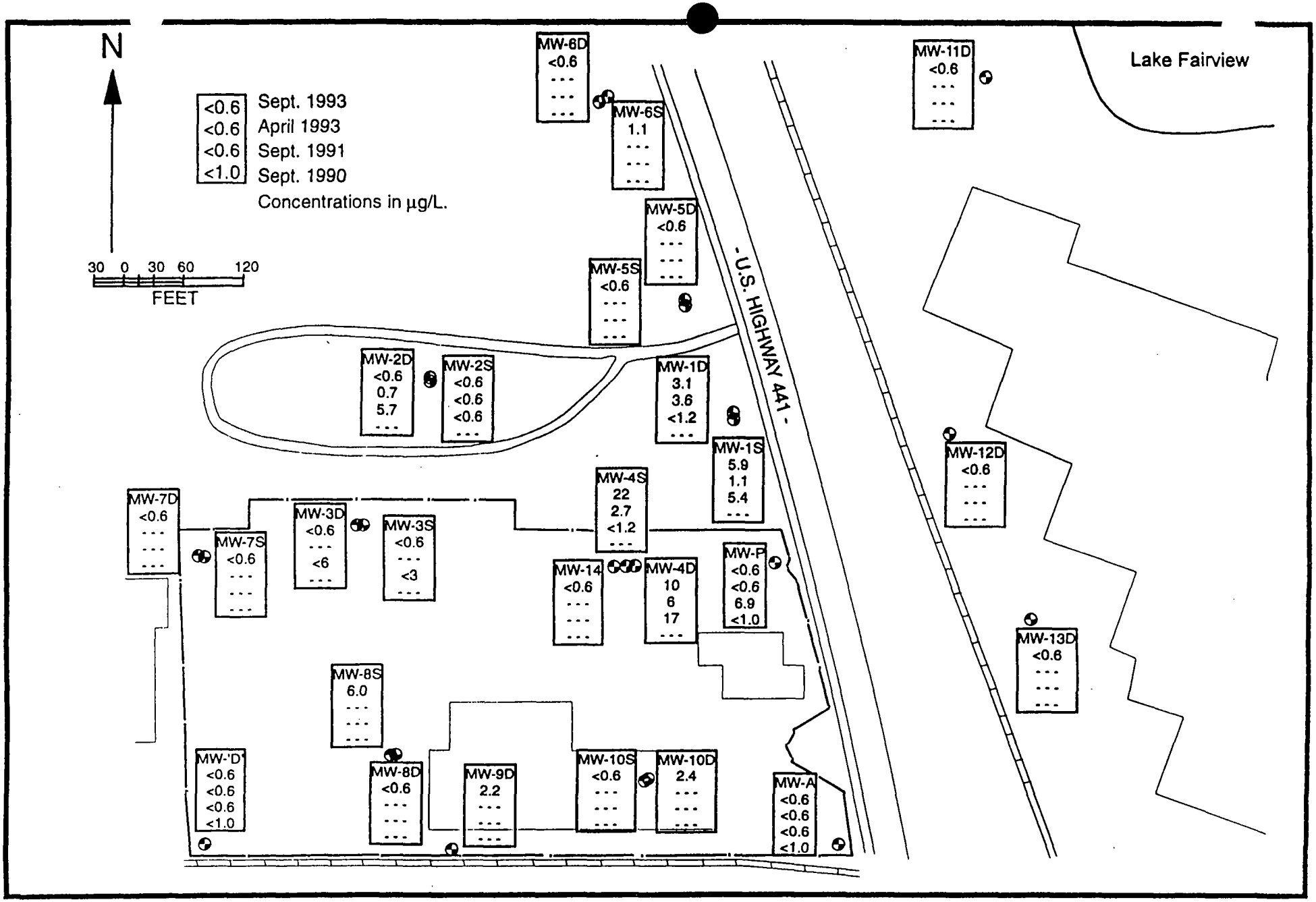
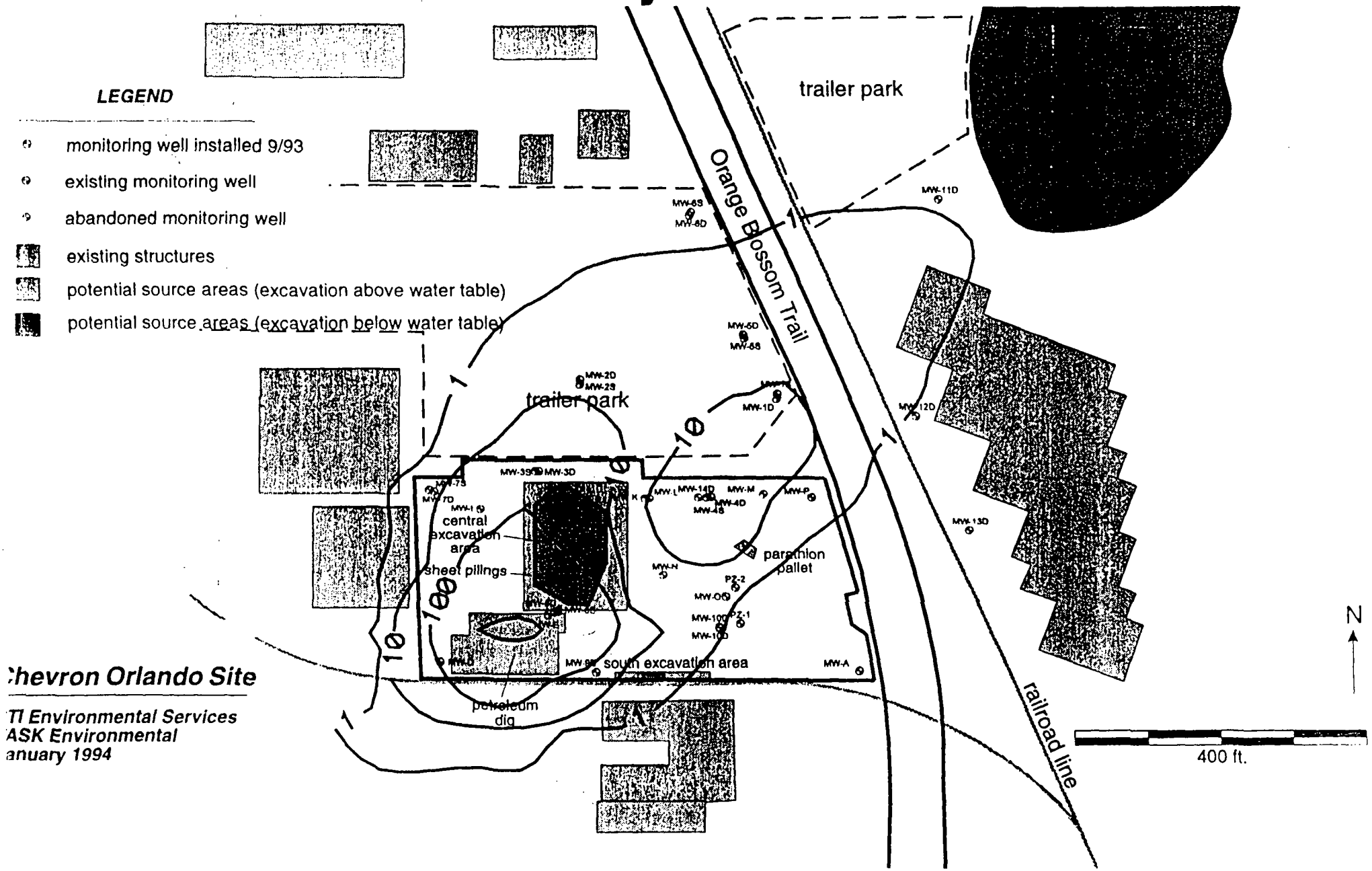


Figure 2. Groundwater benzene concentrations (µg/L), Chevron Orlando facility, Sept. 1993 sampling.

Simulated Ethylbenzene Plume



Chevron Orlando Site

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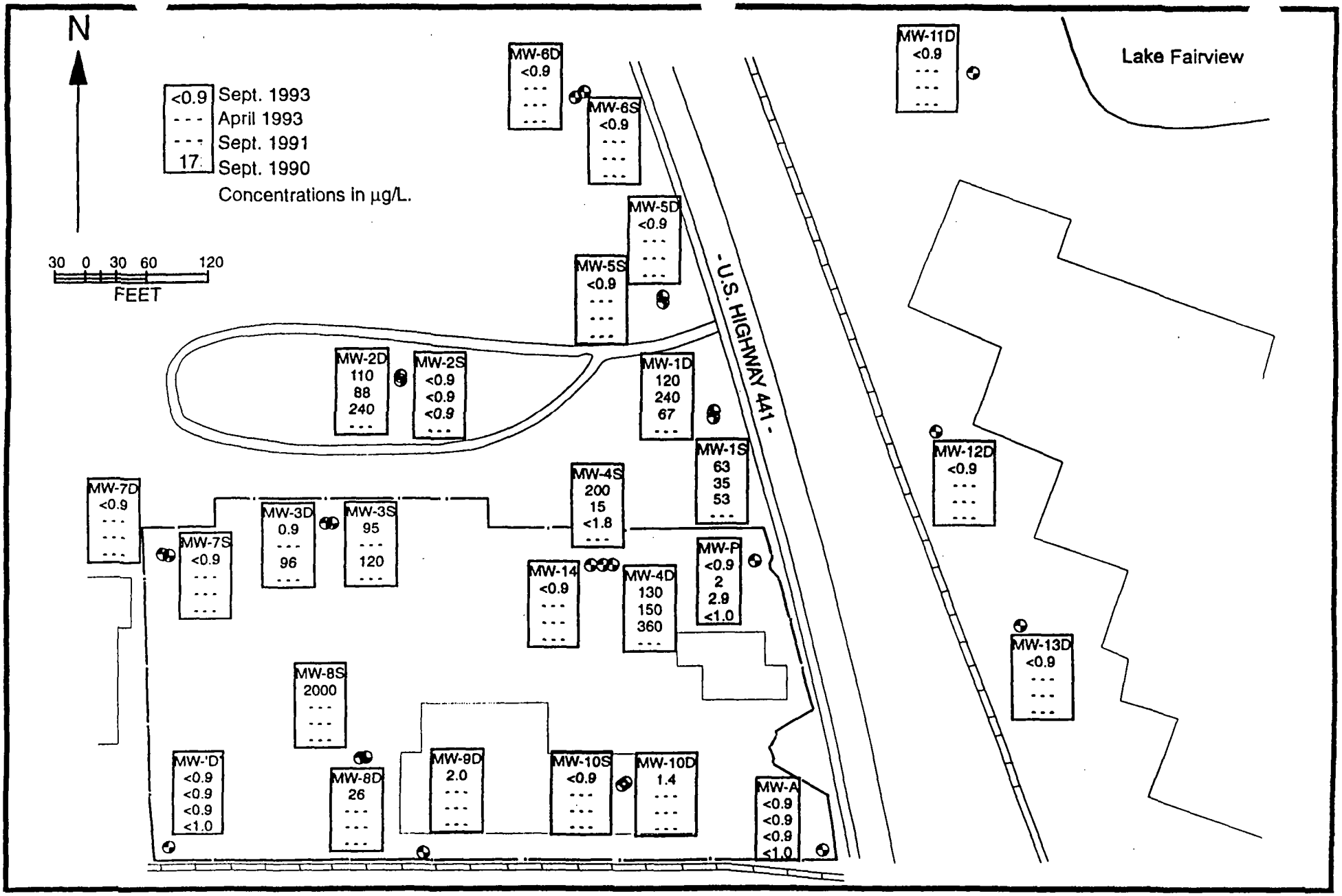
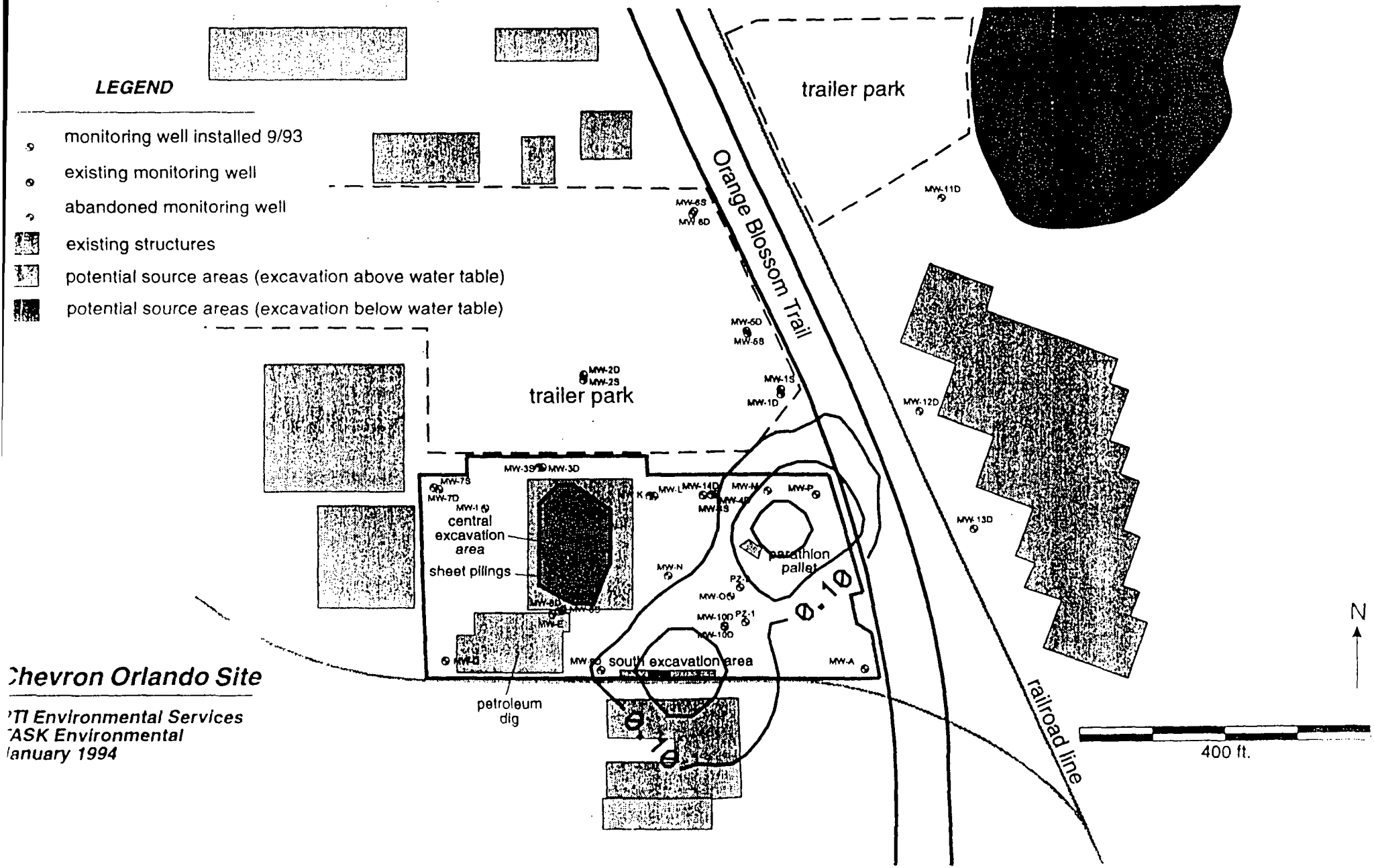


Figure 3. Groundwater ethylbenzene concentrations (µg/L), Chevron Orlando facility, Sept. 1993 sampling.

Simulated Lindane Plume



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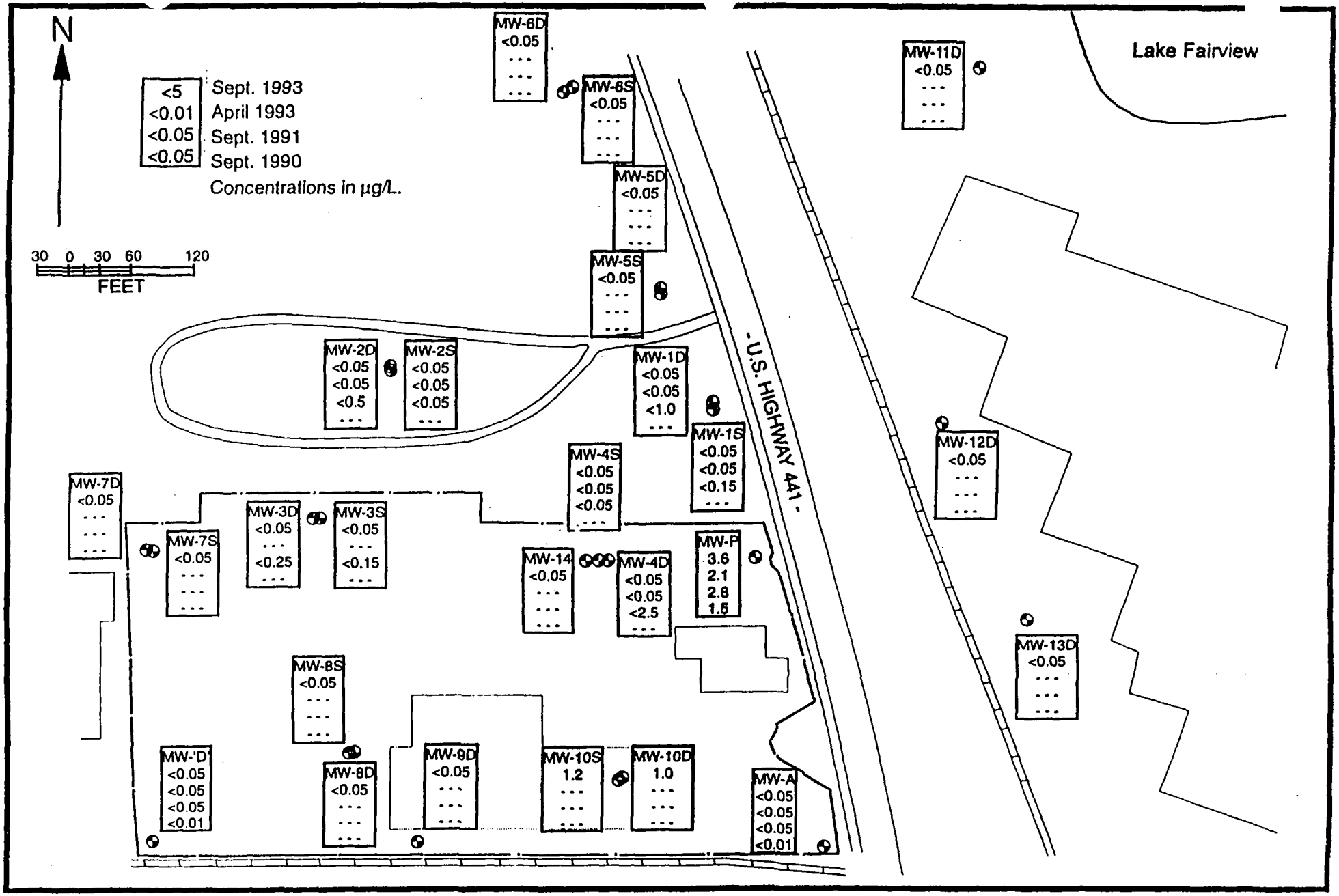

Figure 4. Groundwater lindane concentrations (µg/L) through Sept. 1993 sampling, Chevron Orlando facility

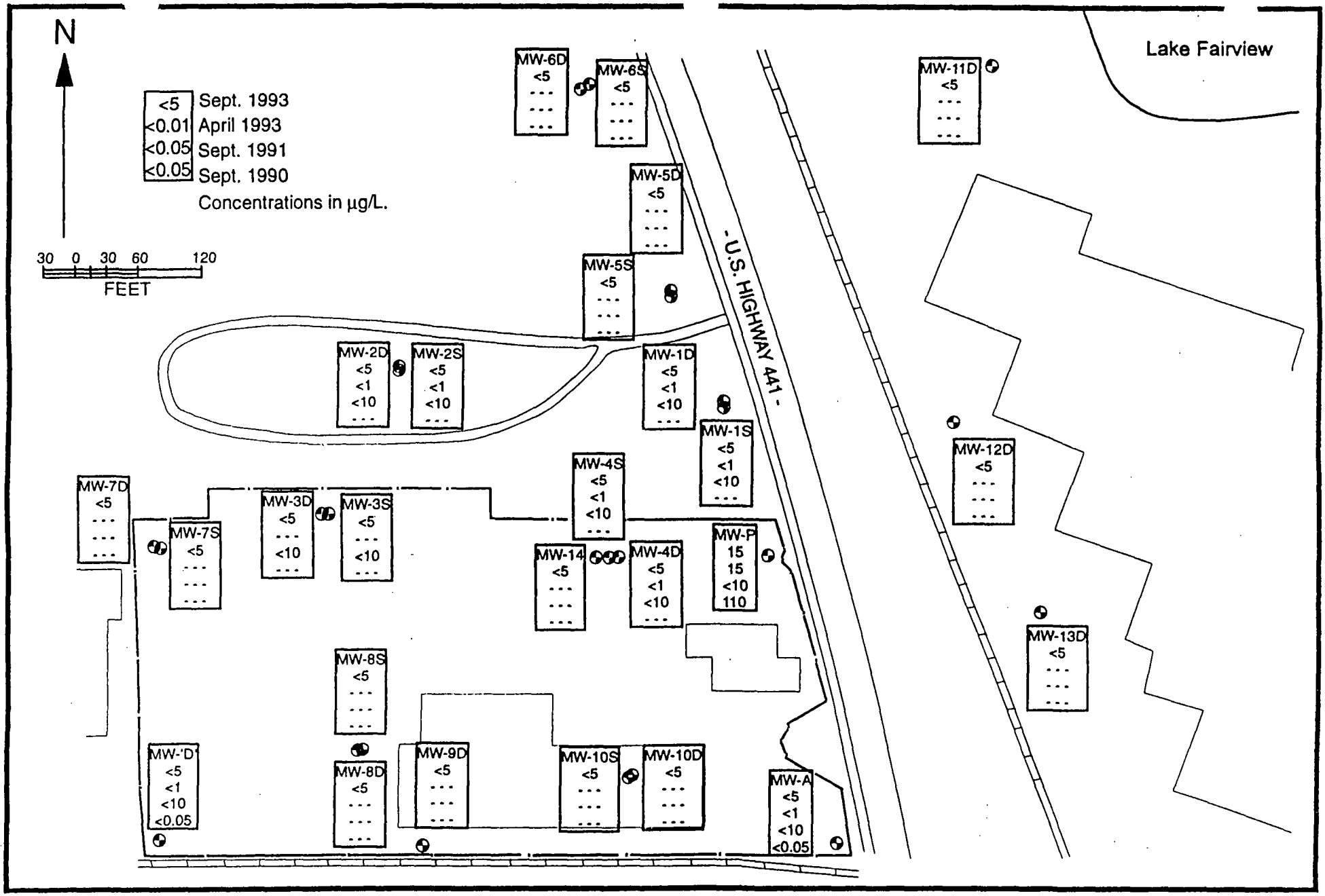

Figure 1. Groundwater ethyl parathion concentrations (µg/L), Chevron Orlando facility, Sept. 1993 sampling.